

EAG:TM/AES  
F.#2013R00169

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

- against -

PAUL RIVERA,  
also known as "Paul Zance,"  
"Paulee Zance,"  
"Paulie Rivera,"  
"Edgar Rivera,"  
"Zance Rivera" and  
"Steven Rivera," and  
MICHAEL GARRETT,  
also known as "Rab,"

S U P E R S E D I N G  
I N D I C T M E N T

Cr. No. 13-149 (S-1) (KAM)  
(T. 21, U.S.C., §§  
841(a)(1),  
841(b)(1)(A)(i),  
841(b)(1)(A)(iii),  
841(b)(1)(C), 841(b)(1)(D),  
846, 853(a) and 853(p);  
T. 18, U.S.C., §§ 2 and  
3551 et seq.)

Defendants.

- - - - - X  
THE GRAND JURY CHARGES:

COUNT ONE  
(Conspiracy to Possess Heroin, Cocaine Base, Cocaine  
and Marijuana with Intent to Distribute)

1. In or about and between January 2008 and January 2012, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants PAUL RIVERA, also known as "Paul Zance," "Paulee Zance," "Paulie Rivera," "Edgar Rivera," "Zance Rivera" and "Steven Rivera," and MICHAEL GARRETT, also known as "Rab," together with others, did knowingly and intentionally conspire to distribute and possess with intent to distribute a controlled substance, which offense involved (a) one kilogram or more of a substance containing heroin, a Schedule I controlled substance, (b) 280 grams or more

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of a substance containing cocaine base, a Schedule II controlled substance, (c) a substance containing cocaine, a Schedule II controlled substance, and (d) a substance containing marijuana, a Schedule I controlled substance, contrary to Title 21, United States Code, Section 841(a)(1).

(Title 21, United States Code, Sections 846, 841(b)(1)(A)(i), 841(b)(1)(A)(iii), 841(b)(1)(C) and 841(b)(1)(D); Title 18, United States Code, Sections 3551 et seq.)

COUNT TWO  
(Possession of Cocaine and Heroin  
with Intent to Distribute)

2. On or about January 18, 2012, within the Eastern District of New York and elsewhere, the defendants PAUL RIVERA, also known as "Paul Zance," "Paulee Zance," "Paulie Rivera," "Edgar Rivera," "Zance Rivera" and "Steven Rivera," and MICHAEL GARRETT, also known as "Rab," together with others, did knowingly and intentionally possess with intent to distribute a controlled substance, which offense involved (a) a substance containing heroin, a Schedule I controlled substance, and (b) a substance containing cocaine, a Schedule II controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C); Title 18, United States Code, Sections 2 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION  
AS TO COUNTS ONE AND TWO

3. The United States hereby gives notice to the defendants charged in Counts One and Two that, upon their conviction of either of such offenses, the government will seek forfeiture in accordance with Title 21, United States Code, Section 853(a), which requires any person convicted of such offenses to forfeit any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of such offenses, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of such offenses.

4. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third party;

(c) has been placed beyond the jurisdiction of the court;

(d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property described in this forfeiture allegation.

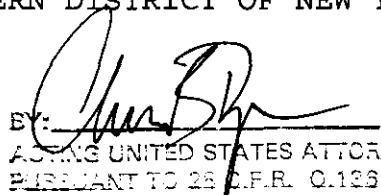
(Title 21, United States Code, Sections 853(a) and 853(p))

A TRUE BILL

Michael Greenberg  
FOREPERSON

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LORETTA E. LYNCH  
UNITED STATES ATTORNEY  
EASTERN DISTRICT OF NEW YORK

BY:   
ACTING UNITED STATES ATTORNEY  
PURSUANT TO 28 C.F.R. Q.126

No.

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**UNITED STATES DISTRICT COURT**

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

---

THE UNITED STATES OF AMERICA

*vs.*

*Paul Rivera, also known as "Paul Zance," "Paulee Zance," "Paulie Rivera," "Edgar Rivera," "Zance Rivera," and "Steven Rivera," and Michael Garrett, also known as "Rab,"*

Defendants.

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**SUPERSEDING INDICTMENT**

(T. 21, U.S.C., §§ 841(a)(1), 841(b)(1)(A)(i), 841(b)(1)(A)(iii),  
841(b)(1)(C), 841(b)(1)(D), 846, 853(a) and 853(p);  
T.18, U.S.C., §§2 and 3551 et seq.)

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*A true bill.*

*Meredith Greenberg*  
Foreperson

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*Filed in open court this 24<sup>th</sup> day,*  
*of June A.D. 2013*

*Clerk*

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*Bail, \$*

*Taryn Merkl, Assistant U.S. Attorney (718) 254-6064*